

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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R. ALEXANDER ACOSTA,	)	
Secretary of Labor, United	)	
States Department of Labor,	)	
	)	Case No. 2:17-cv-02374-JPM-tmp
Plaintiff,	)	
	)	
v.	)	
	)	
CAPITAL CONSTRUCTION, INC.,	)	
CAPITAL ENTERPRISES/CAPITAL	)	
CONSTRUCTION, INC., and	)	
JUSTIN B. HERTER,	)	
	)	
Defendants.	)	

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**JUDGMENT**

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**JUDGMENT BY COURT.** This action having come before the Court on the parties' Joint Motion for Entry of Consent Order and Permanent Injunction, filed on February 28, 2018 (ECF No. 25), and the Court having entered a Consent Order and Permanent Injunction (ECF No. 26),

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that, in accordance with the Consent Order and Permanent Injunction, Defendants Capital Construction, Inc., Capital Enterprises/Capital Construction, Inc., and Justin B. Herter (collectively, "Defendants") shall make payments totaling \$188,224.80 in the manner set forth in the Consent Order and Permanent Injunction. Defendants are hereby permanently enjoined from violating the Fair Labor Standards Act of 1938, 29 U.S.C. § 201, et seq. as set forth in the Consent Order and Permanent Injunction. The Court retains jurisdiction for the purposes of enforcing the terms of the the Consent Order and Permanent Injunction.

**APPROVED:**

/s/ Jon P. McCalla  
JON P. MCCALLA  
UNITED STATES DISTRICT JUDGE

March 5, 2018  
Date